



United States Courts
Southern District of Texas
FILED

March 14, 2022

Nathan Ochsner, Clerk of Court

United States Court of Appeals
Fifth Circuit

FILED

February 18, 2022

Lyle W. Cayce
Clerk

Certified as a true copy and issued
as the mandate on Mar 13, 2022

Attest: *Lyle W. Cayce*
Clerk, U.S. Court of Appeals, Fifth Circuit

No. 21-20081

ROSS DRESS FOR LESS, INCORPORATED,

Plaintiff—Appellant,

versus

ML DEVELOPMENT, L.P.,

Defendant—Appellee.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 4:20-CV-978

Before BARKSDALE, ENGELHARDT, and OLDHAM, *Circuit Judges.*

J U D G M E N T

This cause was considered on the record on appeal and was argued by counsel.

IT IS ORDERED and ADJUDGED that the judgment of the District Court is VACATED, judgment is RENDERED for Ross, and the cause is REMANDED to the District Court for further proceedings in accordance with the opinion of this Court.

No. 21-20081

IT IS FURTHER ORDERED that appellee pay to appellant the costs on appeal to be taxed by the Clerk of this Court.

United States Court of Appeals

FIFTH CIRCUIT
OFFICE OF THE CLERK

LYLE W. CAYCE
CLERK

TEL. 504-310-7700
600 S. MAESTRI PLACE,
Suite 115
NEW ORLEANS, LA 70130

March 14, 2022

Mr. Nathan Ochsner
Southern District of Texas, Houston
United States District Court
515 Rusk Street
Room 5300
Houston, TX 77002

No. 21-20081 Ross Dress for Less v. ML Devel
USDC No. 4:20-CV-978

Dear Mr. Ochsner,

Enclosed is a copy of the judgment issued as the mandate and a copy of the court's opinion.

Enclosed for the district court and counsel is the approved bill of costs.

Sincerely,

LYLE W. CAYCE, Clerk

Dawn Shulin

By: _____
Dawn M. Shulin, Deputy Clerk
504-310-7658

cc w/encl:

Mr. Aaron J. Curtis
Mr. Paul Richard Genender
Ms. Misty Annette Hataway-Cone'
Mr. Zachary Tripp
Mr. Nathaniel David White